

REMARKS

Summary of the Office Action

Claims 1 and 4 are considered in the Office Action.

Claims 1 and 4 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Butaud et al U.S. Patent No. 6,737,904 ("Butaud").

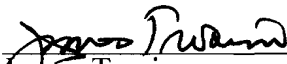
Reply to § 102(e) Rejection

Claims 1 and 4 have been rejected under §102(e) as anticipated by Butaud. Butaud issued on May 18, 2004, based on an application filed on November 12, 1999. Applicant submits herewith the Rule 131 Declaration of Marc Blumer ("Blumer Decl.") to overcome the § 102(e) rejections based on Butaud. In particular, applicant conceived and reduced to practice the invention claimed in this application well before November 12, 1999. Blumer Decl. ¶¶4-5. Because applicant conceived and reduced the invention to practice prior to November 12, 1999, Butaud is not prior art to applicant's invention. See 37 C.F.R. § 1.131(b); MPEP 715. Accordingly, applicant respectfully requests that the §102(e) rejections of claims 1 and 4 be withdrawn.

Conclusion

For the reasons stated above, applicant submits that this application, including claims 1 and 4, is allowable. Applicant therefore respectfully requests that the Examiner allow this application.

Respectfully submitted,



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